

## REMARKS

Claims 1-22 and 25-26 all stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,500,067 to Luciano ("Luciano") in view of U.S. Patent No. 5,470,079 to LeStrange ("LeStrange"). Applicant respectfully submits that such rejections are improper for at least the following reasons:

### **I. Improper Repeat Basis for Rejection**

A Final Office Action issued for the pending application on September 28, 2004, rejecting claims in part because, "Luciano is considered to disclose the step of . . . retrieving money and reading cash vouchers . . . and reconciling and sorting (column 5 lines 23-43)." Applicant then filed a Request for Continued Examination ("RCE") on December 16, 2004. In the Response that accompanied this RCE, Applicant argued against what was allegedly taught by Luciano per these pending rejections. In particular, Applicant noted, "the material elements and steps of a gaming machine and the retrieving, sorting and reconciling of such cash vouchers from a gaming machine have not been shown to be present in Luciano."

The next Office Action issued on January 18, 2005, withdrawing the previous grounds for rejection, and rejecting all of the pending claims as obvious over Applicant's own art in view of Luciano. This first Office Action after RCE stated, "Applicant's arguments with respect to claims 1-24 have been considered but are moot in grounds of the new rejection above." This Office Action then offered comments and arguments to rebut Applicant's arguments with respect to gaming devices and vouchers in Luciano, although Applicant does not fully agree with these comments and arguments that were then presented. Importantly, however, no comment, argument or rebuttal was made with respect to Applicant's position that "the retrieving, sorting and reconciling of such cash vouchers from a gaming machine have not been shown to be present in Luciano."

Applicant then filed a Response to this first Office Action after RCE on March 7, 2005, amending no claims and successfully arguing against the rejections of claims as being obvious over Applicant's own art in view of Luciano. The subsequent and now pending second Office Action after RCE of June 8, 2005, again rejects all claims, and reverts to the same previously withdrawn position that "Luciano is considered to disclose the step of . . . retrieving money and reading cash vouchers . . . and reconciling and sorting (column 5 lines 23-43)." As in the prior Office Action of January 18, no rebuttal was made of Applicant's prior arguments against this position in this Office Action of June 8.

"Where the applicant traverses any rejection, the examiner should take note of the applicant's argument and answer the substance of it." MPEP § 707.07(f). "The importance of answering applicant's arguments is illustrated by *In re Herrmann* [and] *In re Soni*," where the Office failed to question or rebut applicant arguments, resulting in the arguments being accepted at face value. *See*, MPEP § 707.07(f). Here, Applicant has provided arguments regarding an incorrect position taken with respect to the prior art. Despite not addressing these arguments for multiple Office Actions now, this incorrect position is still being maintained in the current rejections. Applicant reiterates and maintains the same unanswered arguments regarding this reading of Luciano, and respectfully submits that the failure to address these arguments for multiple Office Actions should at the very least prevent this position from being repeatedly and unfairly maintained. Accordingly, Applicant respectfully requests withdrawal of the pending rejections for at least this reason.

## **II. Failure of Office Action to Show All Claim Elements**

The only basis for rejection for all claims in the current Office Action is the noted obviousness rejections over Luciano in view of LeStrange. Applicant respectfully submits that this combination of references does not teach many current claim elements, and that the Office Action does not provide any reasonable basis for reaching such a conclusion. In

particular, Applicant respectfully submits that neither Luciano nor LeStrange teaches or suggests the steps of retrieving, sorting or reconciling cash vouchers from gaming machines.

In rejecting all claims at once, the Office Action states, “Claims 1-26 (sic) are rejected under 35 U.S.C. 103(a) as being unpatentable over Luciano in view of LeStrange,” and never again addresses any claim specifically. The Office Action then discusses what is generally taught by Luciano and LeStrange, addressing some claim elements in random fashion, but ignoring others. In particular, recently added independent claim 25 was completely ignored. Such a general format with respect to rejected claims is improper under MPEP § 706 and 37 CFR § 1.104(c)(2): “In rejecting claims . . . for obviousness . . . the particular [prior art] part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.” Applicant thus respectfully submits that the pending rejections are deficient for at least this reason.

Although Applicant maintains prior arguments and positions with respect to what Luciano specifically teaches, arguments are edited here for purposes of brevity. Independent claim 1 recites, “A method, implemented on a gaming system including at least one gaming machine, of utilizing a voucher in the gaming system comprising the steps of: . . . **storing** said at least one cash voucher in said at least one gaming machine; **retrieving** one or more cash vouchers from said at least one gaming machine; and **comparing information** from said one or more retrieved cash vouchers to information regarding said at least one accepted cash voucher contained in said record.” Further, various dependent claims present steps such as, “**sorting** [a] cash voucher from [a] bill money,” “**reading** information from [a] voucher **after said . . . voucher is retrieved** from [a] gaming machine,” and “**reconciling** . . . accepted cash voucher[s] with . . . retrieved cash voucher[s]. Applicant respectfully submits that *none* of these steps has been adequately shown to be present in Luciano or LeStrange, such that the pending rejections should be withdrawn for at least these reasons as well.

In addition, recently added claim 25, also includes steps for, *inter alia*, starting and ending a time period for the gaming machine, determining, sending and comparing validation codes, validating vouchers within a gaming machine, retrieving, sorting and comparing vouchers and bill monies from the gaming machine, and comparing a total value of all vouchers and bill monies retrieved to a total value of all vouchers and bill monies credited. These steps, and claim 25 overall, have been completely ignored in the pending Office Action, however, such that the pending rejection of claim 25 should be withdrawn.

In sum, Luciano is directed toward a "Voucher Gaming System," and LeStrange is directed toward a "Game Machine Accounting and Monitoring System." While both references teach of gaming devices and vouchers, it has not been asserted or shown where LeStrange teaches of *gaming machines that accept cash vouchers*. Applicant submits that the Luciano passages that allegedly teach of such *gaming machines that accept cash vouchers* are deficient as well (Fig. 3, items 34, 38, "Audit Printer"; column 5 lines 23-43). Regardless, it has simply not been shown where either Luciano or LeStrange teaches or suggests any steps relating to the storing, retrieving, comparing information, sorting, reconciling or reading of retrieved vouchers, as required by the presently pending claims.

In view of the foregoing, it is respectfully submitted that the rejections of all pending claims should be withdrawn.

Respectfully Submitted,  
BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read "Justin A. White", is written over a horizontal line.

Justin A. White, Esq.  
Reg. No. 48,883

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Beyer, Weaver & Thomas LLP  
P.O. Box 70250  
Oakland, CA 94612-0250  
(650) 961-8300